

DRINKER BIDDLE & REATH LLP  
*A Delaware Limited Liability Partnership*  
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Attorneys for Defendants,  
JOHNSON & JOHNSON, JOHNSON & JOHNSON  
PHARMACEUTICAL RESEARCH & DEVELOPMENT, L.L.C.,  
and ORTHO-McNEIL PHARMACEUTICAL, INC., now known as ORTHO-McNEIL-  
JANSSEN PHARMACEUTICALS, INC.

TONYA MITCHELL,  
  
Plaintiff,

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NUMBER: MID-L-1461-08-MT

v.

CIVIL ACTION

JOHNSON & JOHNSON, JOHNSON &  
JOHNSON PHARMACEUTICAL  
RESEARCH & DEVELOPMENT, L.L.C.  
f/k/a R.W. JOHNSON PHARMACEUTICAL  
RESEARCH INSTITUTE and ORTHO-  
McNEIL PHARMACEUTICAL, INC.; JOHN  
DOE DRUG MANUFACTURER 1-100;  
JOHN DOE PRESCRIBING PHYSICIAN 1-  
100; JOHN DOE DISTRIBUTORS' 1-100;  
JOHN DOE PHARMACY 1-100; AND JOHN  
DOE MARKETER 1-100,

IN RE ORTHO EVRA® BIRTH CONTROL  
PATCH LITIGATION  
CASE CODE 275

**ORDER**

Defendants.

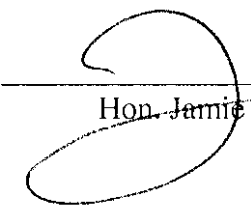
**THIS MATTER** having been brought before the Court by Drinker Biddle & Reath LLP, attorneys for Defendants Johnson & Johnson, Johnson & Johnson Pharmaceutical Research & Development, L.L.C., and Ortho-McNeil Pharmaceutical, Inc., now known as Ortho-McNeil-Janssen Pharmaceuticals, Inc. ("Defendants"), to dismiss the Complaint of Tonya Mitchell without prejudice for failure to serve a Plaintiff Fact Sheet pursuant to Case Management Order No. 2; and such dismissal without prejudice being authorized by R. 4:23-5(a) for failure to

provide discovery; the Court having considered the papers submitted; and the Court having heard the arguments of counsel, if any, and for good cause shown;

IT IS ON THIS 21 day of Oct., 2008;

**ORDERED** that Defendants' motion is hereby **GRANTED** and that this action is **DISMISSED** without prejudice pursuant to R. 4:23-5(a); and it is further

**ORDERED** that a signed copy of this Order be served on all counsel within 7 days of the date hereof.

  
Hon. Jamie D. Happs, J.S.C.

☒ Unopposed

☐ Opposed

Having reviewed the above motion, I find it to be meritorious on its face and is unopposed. Pursuant to R.1:6-2, it therefore will be granted essentially for the reasons set forth in the moving papers

**ORDERED** that counsel for the delinquent party shall serve upon his or her client in accordance with R. 4:23-5(a)(1) a copy of this Order and the notice set forth in Appendix II-F of the Court Rules